

REMARKS

Claims 1-26 are pending in this application. Claim 21 has been amended. No new matter has been added.

Rejections under 35 U.S.C. § 103(a)

Independent Claim 13 and Dependent Claims 14-20

Independent claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bordener (U.S. Patent 5,766,500), in view of Gray (U.S. Patent 5,316,715). The Applicant traverses this rejection and respectfully submits that claim 13 and its dependent claims 14- 20 are patentable over the prior art of record.

Claim 13 describes a method for forming panel structures that includes providing a panel mold element including at least one edge member disposed on a generally planar molding surface and at least one complimentary adjustable edge member disposed on the generally planar molding surface. The generally planar molding surface and edge members cooperatively define at least a portion of a panel mold cavity.

Bordener describes a mold with a mold planar surface, first, second, and third built-up edges, and a fourth open edge (Column 2, lines 16-19). A divider bar is pivotally attached to the mold (Column 2, lines 22-23). The divider bar is supported in a suspended manner and at a desired position above the mold planar surface (Column 2, lines 30-33).

Gray describes a powder cast process that includes preheating an oven, filling powder boxes with plastisol, and attaching the boxes to a mold. (Gray, col. 5, lines 62-66).

Neither Bordener nor Gray teaches the adjustable member recited in claim 13. The Examiner refers to the divider bar in Bordener (Bordener, col. 2, lines 22-23) as the recited “adjustable edge member” in Claim 13. (See OA, pg. 2). However, claim 13 recites that the adjustable edge member is “disposed on the generally planar molding surface.” In contrast, the divider bar of Bordener is “suspended . . . above the mold planar surface.” (Column 2, lines 33-34).

Further, there is no motivation to combine Gray with Brodener. Gray teaches rotating an enclosed mold to form a part (Gray col. 6, lines 1-3). Brodener teaches using a divider bar in conjunction with an open-top mold for creating a countertop. (Brodener, Abstract) Rotating the open-top mold of Brodener in the manner taught by Gray would permit the molding material to escape the mold. Moreover, the divider bar of Brodener is pivotally attached to the mold and rotates downward to seat the bar in the mold between the molding of a first and second layer. (Brodener col. 2, lines 22-30; Brodener col. 2, lines 45-56). The mold in Gray is of an clamshell design and the divider bar of Brodener, if disposed in the device of Gray, would not have clearance sufficient to pivot. (See Gray col. 5, lines 19-36 and Figure 3). One skilled in the art would appreciate that the divider bar of Brodener is not suitable for use in connection with the Gray apparatus.

The Examiner stated that Gray and Brodener are combinable because they are concerned with a similar technical field. The Applicants respectfully submit that the Examiner's motivation for combining the Gray and Brodener disclosures as argued impermissibly comes from the Applicants' own disclosure, and not from the prior art. If this is not the case, the Applicants respectfully request the Examiner cite with particularity those portions of the Gray and Brodener disclosures which provide motivation and a reasonable expectation of success for making the argued combination, as the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the Applicants' disclosure. *In re Vaeck*, 947, F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Alternatively, the Applicants respectfully request the Examiner particularly point out, and explain with specificity, those portions of Brodener or Gray that particularly teach all claim limitations, particularly those limitations hereto discussed.

For at least the reasons discussed above, the Applicants respectfully request the Examiner to withdraw this rejection for claim 13 and claims 14- 20, which depend from claim 13.

Claim 21

Independent claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gray (U.S. Patent 5,316,715), in view of Swain (U.S. Patent 6,682,685). Applicants respectfully submit that amended claim 21 and its dependent claims 22-26 are patentable over the prior art of record.

Amended claim 21 recites “heating the rotomold such that the resinous material and reinforcing elements form a molded part including at least one wall having an outer surface and an inner surface, wherein the reinforcing elements are embedded substantially throughout the wall of the molded part and project from the inner surface.”

Gray describes rotation of a closed system about an axis (Gray, col. 5, lines 19-20), using thermoplastic powder in the mold (Gray, col. 5, lines 25-26), and cooling the mold to a temperature which facilitates removal from the shell (Gray, col. 6, lines 55-57). The Examiner acknowledges that Gray does not disclose the addition of reinforcing fibers.

Swain describes resin pellets containing a reinforcing agent (Swain, col. 5, lines 18-19), which may have a diameter such that the fibers uniformly distribute along the wall of the mold of the rotational molding machine (Swain, col. 5, lines 14-17).

Neither Gray nor Swain describes reinforcing elements that are embedded substantially throughout the wall of the molded part and project from the inner surface. Gray does not show adding reinforcing fibers, and Swain describes fibers uniformly distributed along the wall of the mold.

Accordingly, the combination of Swain and Gray fails to teach all of the limitations in independent claim 21. The dependent claims are likewise deemed allowable, as they depend from an allowable base claim.

Applicants hereby specifically reserve the right to prosecute claims of different or broader scope in a continuation or divisional application. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any

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Serial No. : 10/039,982
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Page : 10 of 10

Attorney's Docket No.: 12477-009001

position taken by the Examiner, based on such amendments. It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Enclosed is a check for \$510 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 4/12/05



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